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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,527	06/21/2001	Jong-Woo Kim	053785-5018	2621
9629	7590 09/24	02		
MORGAN LEWIS & BOCKIUS LLP			EXAMINER	
	SYLVANIA AVEN ON, DC 20004	ENW	CHUNG, DAVID Y	
			ART UNIT	PAPER NUMBER
			2871	
	•		DATE MAILED: 09/24/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Kb.			
	Application No.	Applicant(s)			
7 Offic Acti n Summany	09/885,527	KIM ET AL.			
Offic Acti n Summary	Examiner	Art Unit			
	David Chung	2871			
The MAILING DATE of this communication app Period for R ply	pears on the cover sheet with the	correspondenc address			
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailling date of this communication. - If the period for reply specified above is less than thirty (30) days, a repl - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earmed patent term adjustment. See 37 CFR 1.704(b). Status	136(a). In no event, however, may a reply be till by within the statutory minimum of thirty (30) da will apply and will expire SIX (6) MONTHS from a, cause the application to become ABANDON!	mely filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C. § 133).			
1) Responsive to communication(s) filed on	·				
2a) This action is FINAL . 2b) Th	nis action is non-final.				
3) Since this application is in condition for allows closed in accordance with the practice under Disposition of Claims					
4)⊠ Claim(s) <u>1-28</u> is/are pending in the application	n.				
4a) Of the above claim(s) is/are withdra	wn from consideration.				
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8)⊠ Claim(s) <u>1-28</u> are subject to restriction and/or Application Papers	election requirement.				
9)☐ The specification is objected to by the Examine	er.				
10) The drawing(s) filed on is/are: a) acce	epted or b) objected to by the Exa	aminer.			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
11)☐ The proposed drawing correction filed on is: a)☐ approved b)☐ disapproved by the Examiner.					
If approved, corrected drawings are required in reply to this Office action.					
12) ☐ The oath or declaration is objected to by the Ex	xaminer.				
Priority under 35 U.S.C. §§ 119 and 120					
13) Acknowledgment is made of a claim for foreig	n priority under 35 U.S.C. § 119(a)-(d) or (f).			
a) ☐ All b) ☐ Some * c) ☒ None of:					
1. Certified copies of the priority document	ts have been received.				
2. Certified copies of the priority document	ts have been received in Applica	tion No			
 3. Copies of the certified copies of the price application from the International But See the attached detailed Office action for a list 	ureau (PCT Rule 17.2(a)).				
14) Acknowledgment is made of a claim for domest	·				
a) The translation of the foreign language pro					
15) Acknowledgment is made of a claim for domes					
Attachment(s)					
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 	5) Notice of Informa	ry (PTO-413) Paper No(s) I Patent Application (PTO-152)			

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-17, drawn to a method of fabricating a liquid crystal device, classified in class 438, subclass 30.
- Claims 18, 19, and 26-28, drawn a particular liquid crystal device structure, classified in class 349, subclass 42.
- III. Claims 20-25, drawn to a particular mask for photolithography, classified in class 430, subclass 5.

Inventions I and III are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the mask can be used in a fabrication process that is materially different from that which is claimed.

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In this case a materially different fabrication process can be used

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to make the liquid crystal device such as one that does not use the particular mask as claimed.

Inventions II and III are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the liquid crystal device can be made using a materially different mask than that which is claimed.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).



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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Chung whose telephone number is (703) 306-0155. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.

David Chung GAU 2871 09/19/02 Kenneth Parker Primary Examiner GAU 2871